



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007*

February 21, 2025

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2/23/25</u>
---

**BY ECF**

Hon. Gregory H. Woods  
United States District Judge  
United States District Court  
Daniel Patrick Moynihan Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**MEMORANDUM ENDORSED**

Re: *United States v. Toll Bros. Inc., et al.*,  
24 Civ. 4632 (GHW)

Dear Judge Woods:

In accordance with the Court's Notice of Initial Pretrial Conference scheduling a telephone conference for February 28, 2025, at 10:00 a.m., the parties respectfully submit this joint letter, which supplements their August 15, 2024 letter (attached here as Exhibit A).

As set forth in prior submissions to the Court, the United States and Toll Northeast LP Company, Inc. (with authority to negotiate on behalf of the Toll-owned and/or Toll-controlled entities that have an ownership interest in the properties named in the Complaint) had a settlement conference with the Magistrate Judge on September 4, 2024, and the United States, Toll Northeast LP Company, Inc., and the North 8<sup>th</sup> Board had an initial settlement conference with the Magistrate Judge on October 18, 2024, and a follow-up settlement conference on December 11, 2024. The parties reported back to the Magistrate Judge on December 20, 2024, with regard to status. Toll and North8 are continuing their settlement discussions. On February 13, 2025, the Court extended the time of Toll Northeast LP Company, Inc., the entity related to North 8<sup>th</sup>, to April 15, 2025.

North 8<sup>th</sup>, however, is only one of the thirteen properties at issue in this case. To facilitate resolution of the claims of the United States with regard to the other properties, on October 28, 2024, the United States filed a First Amended Complaint that named Toll Bros., Inc. ("Toll Brothers") as the correct entity for purposes of obtaining relief, with the consent of Toll Bros., Inc. On January 8, 2025, the United States filed a Second Amended Complaint that added the specific entities that were either involved in the design and construction of these thirteen properties, or are Rule 19 defendants whose cooperation is essential to securing the relief in the Complaint.

The United States and Toll Brothers are obtaining signatures on one agreement regarding one of the properties at issue in the Second Amended Complaint, and are close to finalized on a second agreement regarding a second property. The United States and Toll Brothers hope to

Letter to the Hon. Gregory H. Woods  
February 21, 2025  
page 2 of 2

present these two agreements to the Court for the Court's review and approval before the conference on February 28th.

Given that there are many additional parties joining this suit, some of whom have not yet returned service waivers, and some of whom may soon be mooted out of the case by agreements reached between the United States and Toll Brothers, the parties jointly and respectfully request that the Court adjourn the requirement to submit a Case Management Plan until after the answer date for Toll Northeast LP Company, Inc., i.e., April 15, 2025.

Thank you for your consideration of this matter.

Respectfully,

For Plaintiff:

DAMIAN WILLIAMS  
United States Attorney

By: /s/ David J. Kennedy  
DAVID J. KENNEDY  
DANIELLE J. MARRYSHOW  
Assistant U.S. Attorneys  
Tel. No.: (212) 637-2733/2689  
E-mail: [david.kennedy2@usdoj.gov](mailto:david.kennedy2@usdoj.gov)  
[danielle.marryshow@usdoj.gov](mailto:danielle.marryshow@usdoj.gov)

For the Toll Defendants:

/s/ Christine N. Walz  
CHRISTINE WALZ  
Holland & Knight LLP  
787 Seventh Avenue, 31st Floor  
New York, NY 10019  
Telephone: (212) 513-3368  
[christine.walz@hkklaw.com](mailto:christine.walz@hkklaw.com)

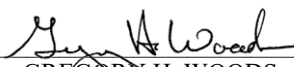
For the North8 Defendant:

/s/ William J. Geller  
William J. Geller  
Braverman Greenspun, P.C.  
110 East 42nd Street, 17th Floor  
New York, NY 10017  
Office: 646.350.4229

Application granted. The parties' February 21, 2025 request for an extension of time to submit a proposed case management plan until after the answer date for Toll Northeast LP Company, Inc., Dkt. No. 125, is granted. The initial pretrial conference scheduled for February 28, 2025 is adjourned to May 1, 2025 at 1:00 p.m. The joint status letter and proposed case management plan described in the Court's June 21, 2024 order are due no later than April 24, 2025.

SO ORDERED.

Dated: February 23, 2025  
New York, New York

  
GREGORY H. WOODS  
United States District Judge